

REMARKS

Reconsideration of the present application as amended is requested.

Claims 1, 2, 8, 13 and 14 were again rejected as anticipated by the patent to Beller, while claim 7 was said to be obvious over the same reference. In support of the rejection it was again alleged that the language in claim 1 was unclear or "ambiguous" so the recited "mixing chamber" was interpreted to be met by the chamber 30 in Beller that is "between said at least one nozzle 35 and said portion 36 at each of said opposite ends of said passageway."

Applicants have again amended claim 1 to overcome the alleged ambiguity in this claim that has led to the misapplication of the Beller reference as anticipatory. It should be clear from the figures of the present application and the accompanying description that the present invention contemplates a mixing chamber that is outboard of any nozzles defined in the passageway. Thus, as shown in FIG. 3 of the present application, two mixing chambers 24 are provided that are outboard of the nozzle 26. More pertinently, a separate mixing chamber is provided for each of the syringe engaging portions.

In contrast, the Beller publication discloses a single mixing chamber 30 that is situated between two nozzle arrays 31, 32. In the rejection of claim 1, this mixing chamber was construed as being between the nozzle 35 at the left of the device and the syringe engagement portion 36 at the right of the device. However, claim 1 requires a mixing chamber between the nozzle and the syringe engaging portion at each of the opposite ends of the passageway. Thus, claim 1 as originally presented clearly contemplates two mixing chambers. In the

rejection of claim 1, only one mixing chamber was identified in Beller because this reference only discloses one mixing chamber that is inboard of the two nozzle arrays.

Although it is believed that the language of claim 1, when properly construed, readily differentiates over Beller, this language was said to be ambiguous, leading to an incorrect construction of claim 1. Consequently, Applicants have amended claim 1 to eliminate any possible misunderstanding in the recited limitations. Specifically, Applicants amended claim 1 to recite that the body defines a pair of mixing chambers, one each between the nozzle and the portion at each of said opposite ends of said passageway.

There can now be no confusion as to the meaning of claim 1, and in particular the definition of the mixing chambers. Although the pair of mixing chambers was implicit in the original language of claim 1, Applicants have amended this claim to specifically refer to a pair of mixing chambers. One mixing chamber is disposed between the nozzle and the portion at one end of the passageway, and the other mixing chamber is disposed between the nozzle and the portion at the opposite end of the passageway.

As explained previously, the Beller reference discloses one "central mixing chamber" between the two outboard nozzle arrays. This configuration in Beller is required to house the replaceable "carrier element" 4 which "works as a mixing element". See, Beller Abstract. Since Beller does not disclose a pair of mixing chambers, it cannot anticipate claim 1 or any of the other claims of this application. Moreover, there is nothing in Beller to suggest modifying the device

to add another mixing chamber and to position two mixing chambers outboard of the respective nozzle arrays. Adding an extra mixing chamber in Beller would necessarily require an additional "carrier element" 4 as well as separating the right side portion 36 from the mixing chamber 30 in the manner shown for the left side portion 37.

The present amendment to claim 1 should eliminate any perceived ambiguity in the claim. This language follows the original language and the interpretation argued by Applicants consistently throughout the prosecution of this application. The Beller patent neither anticipates nor renders obvious claim 1 or its dependent claims. It is therefore believed that this application is in condition for allowance and action toward that end is requested. If it is believed that claim 1 is still ambiguous, Applicants invite the Examiner to contact the undersigned agent to discuss more acceptable wording in a telephonic interview.

Respectfully submitted,

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